

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814

June 8, 1982

ALL-COUNTY LETTER NO. 82-54

• TO: ALL-COUNTY WELFARE DIRECTORS

SUBJECT: SOCIAL SECURITY COST-OF-LIVING INCREASES

REFERENCE:

Effective July 1, 1982, Social Security recipients will receive a 7.4 percent cost-of-living increase in their social security benefits. In accordance with regulations filed on March 10, 1982, this cost-of-living increase will be treated as a mass change. CWDs are to adjust the food stamp benefits to reflect the cost-of-living increase by either applying the 7.4 percentage increase factor to the current benefit amount or by extracting the new benefit amount from the conversion tables obtained from the Social Security Administration.

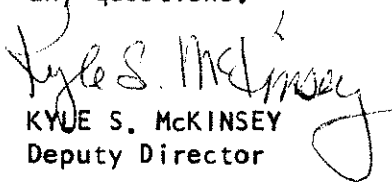
There is a possibility that treatment of social security benefits for food stamp purposes may be modified by pending federal legislation, Senate Bill 2415. Senate Bill 2415 proposes to eliminate the disruption of food stamp benefits caused by the disparity in the timing of cost-of-living adjustments in federal programs by requiring agencies not to count any federal cost-of-living increases before the Thrifty Food Plan is adjusted effective each October 1. Cost-of-living increases in social security, supplemental security income, railroad retirement, or veteran pension payments made on or after July 1 of each fiscal year would be affected by this legislation. This mandated coordination would eliminate having benefits reduced at one point in time and restoring them a few months later. Senate Bill 2415 is to be effective July 1, 1982, or retroactive to July 1, 1982 if enacted at a later date.

For social security cost-of-living adjustments, Section 63-504.343(b) requires all applicable households to be converted within 120 days of the effective date of the social security payment change date of July 1, 1982. CWDs have the months of July, August, September and October to implement the changes. CWDs electing to convert their applicable households prior to October should establish a system for readily identifying these cases for additional adjustments if Senate Bill 2415 is passed. If a household reports the social security payment change, the CWD must act in accordance with Section 63-504.32 and not delay effecting the appropriate adjustment unless this action has already been taken.

Households are not held liable for any overissuances resulting from the CWD's application of the 7.4 percentage increase factor or SSA conversion tables. If an underissuance of food stamp benefits is discovered, households will be entitled to restoration of lost benefits.

Per Section 63-504.343(c), attached for your use is a state-approved general notice for informing recipients of the social security cost-of-living adjustments. CWDs are requested to send this notice to households during the month in which the adjustments are made.

Please contact your Food Stamp Program Consultant at (916) 322-5475 if you have any questions.


KYLE S. MCKINSEY
Deputy Director

cc: CWDA

Attachment

PROPOSED NOTICE

If you receive a cost-of-living increase in Social Security (RSDI), your food stamp eligibility or benefit amount may have been reduced. This is because in the Food Stamp Program, the amount you receive from Social Security is counted as income and is used to determine your eligibility and the amount of food stamps you will receive. If your Social Security benefits have increased and there are no other changes in your circumstances, your food stamp benefits will decrease.

The Social Security cost-of-living increase of 7.4 percent is effective July 1, 1982, and may affect your food stamp benefits for the month of July, and each month thereafter. This action is authorized by Manual of Policies and Procedures, Section 63-504.34.

If your food stamp benefits have been reduced, you have the right to request a state hearing. Your request may be written or oral, but it must state that you want a hearing and why you are dissatisfied. The request for a hearing must be received by the Office of the Chief Referee, Department of Social Services, 744 P Street, Sacramento, California 95814, or through phoning (800) 952-5253 within 90 days of the date of the action with which you are dissatisfied. You may request a state hearing on your own, or you may ask your eligibility worker for more information and to assist you with the request.

Only if the issue being appealed is that your food stamp eligibility or benefits were improperly computed, the amount of your present food stamp benefits may continue until the hearing or until the end of your current period of certification, whichever comes first. In this situation, you have ten days from the date this notice was mailed to request a continuation of benefits.

If any portion of food stamps provided to you while awaiting the hearing decision is determined to be an overissuance, the CWD may recover the amount of the overissuance. If you want to avoid the possibility of such an overissuance, you must tell your eligibility worker you want your food stamps reduced to the new amount as determined by the CWD until the hearing decision. If the hearing decision is in your favor, the CWD will make up the food stamps you have lost.

At a state hearing you have the right to be represented by an attorney or any other person of your choice. You can get help in locating free legal assistance by calling (800) 952-5253.